

USSN: 09/657,289 Atty. Dkt. No.: 9400-0006 Client Dkt. No.: PXE-0006US

PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

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Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

FRANCIS et al.

Serial No.: 09/657,289

Filing Date: September 7, 2000

Title: LUCIFERASE EXPRESSION CASSETTES

AND METHODS OF USE

Examiner: E. Slobodyansky

Group Art Unit: 1652

Confirmation No.: 1639

Customer No.: 20855

POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

1

XENOGEN CORPORATION, assignee of the above-identified application by assignment (copy attached), hereby appoints Roberta L. Robins, Reg. No. 33,208 and Dahna S. Pasternak, Reg. No. 41,411 as its attorneys/agents with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Please address all further communications to Dahna S. Pasternak at the following address:

Customer No. 20855 ROBINS & PASTERNAK LLP 1731 Embarcadero Road, Suite 230 Palo Alto, CA 94303

Date: 1/27/04

XENOGEN CORPORATION.

Name: DAVID & BOYKO, ESO,

Title: VICE PRESIDENT, LICENSING

6 LEBAL SERVICES

JANUARY 16, 2001

Received

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Offic

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



DOCKETED

UNITED STATES PATERIAAND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/27/2000

REEL/FRAME: 011230/0796

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BRIEF: ASSIGNMENT OF ASSIGNOR''S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FRANCIS, KEVIN P.

DOC DATE: 10/09/2000

ASSIGNOR:

CONTAG, PAMELA R.

DOC DATE: 10/09/2000

ASSIGNOR:

JOH, DANNY J.

DOC DATE: 10/09/2000

ASSIGNEE:

XENOGEN CORPORATION 860 ATLANTIC AVENUE ALAMEDA, CALIFORNIA 94501

SERIAL NUMBER: 09657289

PATENT NUMBER:

FILING DATE: 09/07/2000

ISSUE DATE:

ASSIGNMENT Inventor

WHEREAS, Kevin P. Francis, Pamela Reilly Contag and Danny J. Joh, hereinafter referred to as ASSIGNORS, has invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:

LUCIFERASE EXPRESSION CASSETTES AND METHODS OF USE

Serial No:

09/657,289

Filing Date: September 7, 2000

WHEREAS, XENOGEN CORPORATION, located at 860 Atlantic Avenue, Alameda, California 94501, hereinafter referred to as ASSIGNEE, is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to ASSIGNORS by ASSIGNEE, receipt of which is hereby acknowledged, ASSIGNORS has sold, assigned and transferred, and by these presents do sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. §119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been held and enjoyed by said ASSIGNORS had this assignment and transfer not been made, to the full end and term of any Letters Patent.

ASSIGNORS further agrees that he will, without charge to said ASSIGNEE, but at ASSIGNEE'S expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE'S successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNORS has hereunto signed his name to this assignment on the dates indicated below.

DATE 10

State of California

)) ss.

County of Alameda

WINSOME A. DUNN

ALAMEDA COUNTY My Comm. Expires December 23, 2001

, 2000, before me, Winsome A. Dunn, Notary Public for the State of California, personally appeared Kevin P. Francis, Pamela Reilly Contag and Danny J. Joh personally known to me to be the persons whose names are subscribed to the within instrument and acknowledge to that they executed the same in their authorized capacities and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument

NESA my hand and official seal